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PATENT
Docket No. 265.00240101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|---|-----------------|---------------------|
| Applicant(s): Stanton et al. |) | Group Art Unit: | 1647 |
| |) | | |
| Serial No.: 09/641,802 |) | Examiner: | Christopher Nichols |
| Confirmation No.: 5387 |) | | |
| |) | | |
| Filed: August 17, 2000 |) | | |
| |) | | |
| For: USE OF COLOSTRININ, CONSTITUENT PEPTIDES THEREOF, AND ANALOGS THEREOF TO PROMOTE NEURONAL CELL DIFFERENTIATION | | | |

FACSIMILE TRANSMISSION TO THE PTO

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| Commissioner for Patents | FAX NUMBER: <u>(703) 872-9306</u> |
| Attn: Examiner Christopher Nichols | Total Pages (including cover page): <u>3</u> |
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Small Entity Status is entitled to be asserted in the above-identified application.

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Signature: Sara E. Olson
Name: Sara E. Olson

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ANALOGS THEREOF TO PROMOTE NEURONAL CELL
DIFFERENTIATION

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Board of Regents, The University of Texas System is the owner of 100 percent interest in the instant application, as evidenced by an assignment recorded at Reel 011548, Frame 0826 on February 26, 2001, and is the owner of 100 percent interest in U.S. Patent No. 6,500,798, as evidenced by an assignment recorded at Reel 011519, Frame 0229, on February 9, 2001. The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173 as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,500,798, issued December 31, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the prior patent, as presently

Terminal Disclaimer

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PROMOTE NEURONAL CELL DIFFERENTIATION

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shortened by any terminal disclaimer, in the event that the patent later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid by a court of competent jurisdiction, (4) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, (5) has all claims canceled by a reexamination certificate, (6) is reissued, or (7) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

To the best of my knowledge and belief, title is in the assignee identified above.

I am empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Board of Regents,
The University of Texas System

July 21, 2004

Date

Signature

Cullen M. Godfrey

Typed or Printed Name

Vice Chancellor and General Counsel

Title